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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Trevor Reid, Crystale Reason
Plaintiffs

v.

United States of America, and one or more
unknown named agents of the United
States, called by the fictitious names John
Doe or Jane Doe, who identities are not yet
known

Defendants.

No. CV-22-00068-PHX-SMB

**DEFENDANT'S RESPONSE TO
MOTION FOR REFERRAL TO
MEDIATION**

Defendant, the United States of America, submits its response to Plaintiffs' Motion for Referral to Mediation (Doc. 30). Defendant respectfully submits that the motion is premature and should be denied. On November 1, 2022, Plaintiffs filed an Amended Complaint (Doc. 28) in response to Defendant's partial motion to dismiss. (Doc. 27). Per the Court's Order denying, without prejudice, Defendant's partial motion to dismiss, Defendant's answer or subsequent motion to dismiss deadline is November 23, 2022. (Doc. 31). The topics of a settlement conference and/or mediation will be addressed in the normal course prior to the issuance of a scheduling order, which order is expected to include a deadline by which such activity is to occur. The precise issues to be addressed at a settlement conference or mediation will, of necessity, be shaped and defined through

1 discovery and motion practice in due course. A meaningful settlement conference or
2 mediation is dependent upon a suitably developed record, which is absent at present. The
3 Government, therefore, respectfully requests that the motion be denied.

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5 RESPECTFULLY SUBMITTED this 17th day of November, 2022.

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7 GARY M. RESTAINO
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8
9 s/Noel C. Capps
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CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2022, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant(s):

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PRO SE

s/ Celescia A. Broughton
U.S. Attorney's Office